

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GARY RAY CORSE,

Plaintiff,

vs.

No. 13cv0851 SWS/KBM

**E. O'MEARA (Veterans Service Center Manager,
Department of Veterans Affairs);
DEPARTMENT OF VETERANS AFFAIRS;
U.S. ARMY,**

Defendants.

ORDER IMPOSING FILING RESTRICTIONS

THIS MATTER comes before the Court on its Order requiring pro se Plaintiff Gary Ray Corse to show cause in writing why he should not be civilly sanctioned by the imposition of filing restrictions to stop his abusive behavior of filing repetitive and frivolous suits in this District. *See* October 23, 2013 Order. Corse responded, but his response fails to provide any good reason why the Court should not impose filing restrictions. *See* Doc. 9.

The Court finds that Corse's history of filing repetitive and frivolous lawsuits cannot be ignored. The frivolous litigation history recited in the Court's October 23, 2013 Order has diverted scarce judicial resources from addressing cases with merit. The Court concludes that Corse shall be barred from filing any further *pro se* cases in the District of New Mexico except under the conditions set forth below.

IT IS ORDERED that Corse may not file a complaint against any defendant in the United States District Court for the District of New Mexico, and the Clerk shall not accept a complaint naming him as the Plaintiff unless either (i) a currently licensed attorney who has been admitted to practice before this Court signs the pleading and represents him or (ii) Corse first

obtains permission to proceed *pro se*. See *DePineda v. Hemphill*, 34 F.3d 946, 948-49 (10th Cir. 1994). To obtain permission to proceed *pro se*, Corse must file a petition with the Clerk of the Court requesting leave to file a *pro se* complaint, to which he must attach a copy of his proposed complaint, the application to proceed IFP, if any, and a copy of these filing restrictions. The petition must set out the specific jurisdictional authority on which Corse bases his suit. If he is seeking to sue a defendant whom he has previously sued in any court, he shall attach his previous complaint/s and all orders entered in the case/s, and explain in his petition why his suit is not barred by the doctrine of res judicata.

The Clerk of the Court shall forward the materials to the Chief Magistrate Judge of the United States District Court for the District of New Mexico for review to determine whether to permit the filing of the complaint. Without the Chief Magistrate Judge's approval, the Clerk will not accept a petition or complaint for filing. If the Chief Magistrate Judge approves the filing, the Chief Magistrate Judge will instruct the Clerk to file the petition/complaint and the case may proceed in accordance with the Federal Rules of Civil Procedure. If the Chief Magistrate Judge does not approve the filing, with the concurrence of an Article III Judge, the Court will send a letter to Corse informing him that permission to file his complaint has been denied.

SO ORDERED THIS 9th DAY OF DECEMBER, 2013.

**Scott W. Skavdahl, United States District Judge,
Sitting by Designation,
by**

A handwritten signature in cursive script, appearing to read "Karen B. Mohr", is written over a horizontal line.

UNITED STATES CHIEF MAGISTRATE JUDGE